

Application No.: 10/549,771  
Amendment Dated July 31, 2008  
Reply to Office Action of May 1, 2008

MAT-8742US

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figure 5. This sheet replaces the original sheet.

**Remarks/Arguments:**

Claims 1-7 are pending. Claims 1-7 stand rejected. In this response, Applicant has amended claims 1 and 6. Accordingly, claims 1-7 are presented for reconsideration.

FIG. 5 has been amended to include a legend designating it as prior art, as required. Accordingly, Applicant respectfully requests withdrawal of the objection to FIG. 5.

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as anticipated by Funahashi et al. (U.S. Pub. No. 2003/0185415). Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as obvious over Funahashi and Albinger (U.S. Patent No. 4,029,911). Please note that while the paragraph 3, lines 1-2 of the Office Action state that claims 1-7 are rejected as anticipated by Funahashi, the Examiner only provides reasons for rejecting claims 1-4 as anticipated by Funahashi and separately rejects claims 5-7 as obvious over Funahashi and Albinger. Accordingly, Applicant assumes the Examiner intended to reject only claims 1-4 as anticipated by Funahashi.

Applicant respectfully requests reconsideration of the rejections of claims 1-7. In particular, Applicant's invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

...a suspension holder extending downward from a middle portion between an inner periphery and an outer periphery on a rear surface of the diaphragm is integrated with the diaphragm at a unity point extending circumferentially about the diaphragm.

(Emphasis added). This feature may be found, for example, in the originally filed application at page 4, lines 18-19 and FIG. 2. No new matter has been added.

Funahashi discloses a loudspeaker. As shown in FIG. 7, for example, the loudspeaker includes a suspension holder 25 and a diaphragm 17. "A middle section between the inner peripheral part and an outer peripheral part of suspension holder 25 is coupled with a middle section of diaphragm 17 using an adhesive and the like." See Funahashi paragraph 0053 (emphasis added). The embodiments shown in FIGs. 7-9 are the only embodiments in Funahashi where a suspension holder is coupled with a diaphragm. In all of FIGs. 7-9, an entire section ("a middle section") of the suspension holder is coupled with the diaphragm. Thus, Funahashi's disclosure is different from the embodiment recited in Applicant's claim 1, which requires that "a suspension holder...is integrated with the diaphragm at a unity point extending circumferentially about the diaphragm," because Funahashi discloses coupling the suspension holder with the diaphragm at more than a unity point extending circumferentially about the diaphragm.

It is because Applicant includes the feature of "a suspension holder extending downward from a middle portion between an inner periphery and an outer periphery on a rear surface of the diaphragm is integrated with the diaphragm at a unitary point extending circumferentially about the diaphragm," that the following advantages are achieved. Adhesion work between the suspension holder and the diaphragm as well as heating and drying work of adhesives are not required, thus enabling considerable improvement in manufacturing efficiency and reduction in production equipment and space required. See, e.g., Applicant's specification at page 3, lines 5-8.

Accordingly, for the reasons set forth above, claim 1 is allowable over the art of record.

With respect to the rejections of claims 5-7, Albinger fails to make up for the deficiencies set forth above with respect to Funahashi.

Claim 6, while not identical to allowable claim 1, includes features similar to allowable claim 1. Accordingly, claim 6 is also allowable over the art of record for at least the reasons set forth above.

Claims 2-5 include all features of allowable claim 1 from which they depend, and claim 7 includes all features of allowable claim 6 from which it depends. Thus, claims 2-5 and 7 are also allowable over the art of record for at least the reasons set forth above.

With respect to the non-provisional obviousness-type double patenting rejections of claims 1-7 in view of U.S. Patents 7,324,659, 7,209,570 and 7,203,333, terminal disclaimers are filed herewith. Accordingly, Applicant respectfully requests withdrawal of the non-provisional double patenting rejection of claims 1-7.

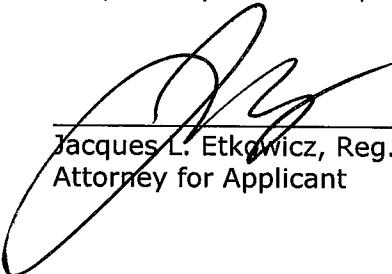
Applicant acknowledges the five provisional obviousness-type double patenting rejections. Applicant will file terminal disclaimers, if necessary, when the applications cited in those provisional rejections issue as patents if the final versions of the claims included therein so require.

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In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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Attachments:

Figure 5 (1 sheet)  
Terminal Disclaimer

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